

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38331 of 2008
GOPAL DAS
S/O Late Dhathuri Chamar, R/O Village – Barmania, P.O. Barakundi, P.S. Sarairanhat, Distt.- Dumka. ... Petitioner.
Versus
STATE OF BIHAR THRU. CBI.

2/ 29.09.2008 Heard learned Counsel for the petitioner and learned Counsel representing the C.B.I.

The petitioner is an accused of a case which has been registered under Sections 120-B, 419, 420, 467, 468 and 471 of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

According to the allegation, the petitioner and others conspired and in furtherance of conspiracy, Gopal Das impersonated as Manoj Sah and joined Primary School as Assistant Teacher on the basis of false transfer order purportedly issued by District Superintendent of Education, Banka. He joined and functioned between 02.09.1996 and 26.11.1996.

Submission is that the case at best comes under Section 419 of the Indian Penal Code. The petitioner is an employee of Pharmaceuticals Company at Calcutta. The petitioner is in custody since 09.07.2008.

Prayer for bail has been opposed by learned Counsel representing the C.B.I. who has submitted that the offence is quite serious and it is not a simple case of impersonation.

Considering the facts and circumstances of the case, the petitioner Gopal Das is ordered to be released on bail on furnishing

bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (CBI), South Bihar, Patna in connection with Special Case No. 34 of 2005 arising out of RC-11(A)/2005.

kksinha/

(Shyam Kishore Sharma, J.),

